IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6134 OF 2005

Shri. Manojkumar Rajashekharam Pillai ...Applicant
Vs.
The State of Maharashtra ...Respondent

Shri. Sanjay Rairkar i.by A.H.H.Ponda for the Applicant.
Ms M.M. Deshmukh, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : SEPTEMBER 26, 2005.

P.C.:

1. Heard the Advocate appearing for the Applicant and the learned A.P.P. for the State. The prayer in this Application is for modification of condition imposed in order dated 22nd June, 2004 passed by this Court for grant of bail. Prayer in the Application is that instead of furnishing sureties, the Applicant may be permitted to deposit Rs.25,000/-. The contention of the Applicant is that as he is unable to furnish surety, he could not avail of the order granting bail which was passed in June 2004. The learned A.P.P. has opposed the Application by pointing out that considering the facts of the case condition of furnishing local sureties was rightly imposed and the said part of the order cannot be modified.

2. I have considered the submissions. It is true that requirement of furnishing two sureties cannot be dispensed with in view of the reasons assigned by this

Court. However, the fact remains that the Applicant could not avail of the order granting bail for such a long time. Therefore, the Applicant can be enlarged on bail subject to furnishing cash surety with a direction to furnish one or two local sureties in the like amount within a period of two weeks from the date on which he is enlarged on bail.

3. Hence, I pass the following order:

: O R D E R :

i) If the Applicant furnishes cash bail of Rs.25,000/-, he will be enlarged on bail subject to filing personal bond and subject to condition of furnishing one or two local sureties as directed by order dated 22nd June, 2004 within a period of two weeks from the date on which he is enlarged on bail.

ii) All other conditions incorporated in paragraph No.3 of order dated 22nd June, 2004 are maintained.

iii) If the Appliant fails to furnish local sureties as directed within the stipulated time, this itself will be a ground for cancellation of bail.

iv) Application is disposed of accordingly.